

**BEFORE THE BOARD OF EDUCATIONAL EXAMINERS
OF THE STATE OF IOWA**

OCT 10 2022

In the Matter of:

Case No. 22-42

AMBER MATTLY
Folder # 1022989
Respondent.

**COMBINED STATEMENT OF
CHARGES, SETTLEMENT
AGREEMENT, AND FINAL ORDER**

The Board of Educational Examiners ("Board") and AMBER MATTLY ("Respondent") enter into this Combined Statement of Charges, Settlement Agreement, and Final Order ("Order") pursuant to Iowa Code sections 17A.10 and 272.2(4) and 282 Iowa Administrative Code 11.4(6). Respondent enters into this Order with full knowledge of the right to demand a formal hearing before the Board upon the pending complaint prior to the imposition of sanction upon her license. Respondent expressly waives the right to a disciplinary hearing and notifies the Board of her desire to resolve the pending complaint through means of informal disposition.

Respondent concedes the jurisdiction of the Board for all issues relevant hereto and voluntarily consents to the State's counsel presenting this agreement to the Board with the terms provided. If the Board does not accept the terms of this agreement, Respondent acknowledges that a disciplinary hearing will be scheduled and the stipulations contained herein are not binding upon the Respondent and will not be presented against her at the time of hearing without further agreement of the Respondent.

Board approval of this settlement shall constitute resolution of this matter and will be entered as a FINAL ORDER of the Board.

STATEMENT OF CHARGES

COUNT I

Respondent is charged with falsifying or deliberately misrepresenting or omitting material information regarding compliance reports submitted to federal, state, and other governmental agencies, in violation of 282 Iowa Administrative Code rule 25.3(3)(b).

COUNT II

Respondent is charged with falsifying or deliberately misrepresenting or omitting material information regarding the evaluation of students or personnel, including improper administration of any standardized tests, including but not limited to, changing test answers, providing test answers, copying or teaching identified test items, or using inappropriate accommodations or modifications for such tests, in violation of 282 Iowa Administrative Code rule 25.3(3)(e).

COUNT III

Respondent is charged with failing to comply with federal, state, and local laws applicable to the fulfillment of professional obligations, in violation of 282 Iowa Administrative Code rule 25.3(6)(m).

COUNT IV

Respondent is charged with willfully or repeatedly departing from or failing to conform to the minimum standards of acceptable and prevailing educational practice in the state of Iowa, in violation of 282 Iowa Administrative Code rule 25.3(8)(a).

STIPULATIONS

1. Respondent holds a MASTER EDUCATOR LICENSE (FOLDER # 1022989) with endorsements in K-12 Instructional Strategist II: BD/LD and K-12 Instructional Strategist II: ID. The license is current and set to expire January 31, 2026.
2. During all material events of this case, Respondent was employed as a Teacher with the Bettendorf Community School District.
3. On February 25, 2022, the Board of Educational Examiners received a complaint against Respondent alleging a violation of the Code of Ethics.
4. On May 20, 2022, the Board found probable cause to proceed to hearing based upon the facts set forth in paragraph 5 below.
5. Respondent falsified data sheets for a student's IEP goal tracking documents.

SETTLEMENT AGREEMENT

6. This Combined Statement of Charges, Settlement Agreement, and Final Order constitutes the final resolution of a contested case proceeding and shall have the force and effect of a disciplinary order entered following a contested case hearing.
7. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:
 - a. Respondent accepts a PUBLIC REPRIMAND.
 - b. Respondent agrees to successfully complete at least fifteen in-person contact hours in "Ethics for Educators," which is offered by the ISEA, or "Ethical Educators," which is offered by the PEI. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the ethics course prior to seeking reinstatement and within ONE YEAR of the Board's acceptance of this Settlement Agreement and Final Order. Failure to complete the ethical class within the allotted time period will result in immediate suspension of her license until completed. These hours cannot be used to fulfill continuing education requirements.

- c. Respondent agrees to successfully complete a course in special education law, preapproved by the Board's Executive Director. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the special education law course within one (1) year of the Board's acceptance of this Settlement Agreement. These hours are in addition to the standard continuing education requirements for the license renewal and cannot be used to satisfy the required hours for license renewal.

LICENSEE DECLARATION

I understand that this Settlement Agreement and Final Order is subject to approval of the Board. If the Board does not approve this Order, it shall be of no force or affect to either party and shall not be admissible for any purpose in further proceedings in this matter. If the Board approves this Order, it shall be the full and final resolution of this matter.

I understand that I have the right to be represented by counsel in this matter.

I understand the State's counsel will present this Settlement Agreement and Final Order to the Board *ex parte*.

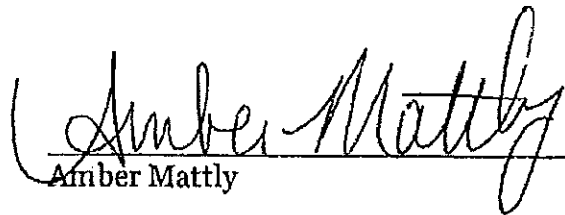
I agree to comply with the requirements set forth in this Settlement Agreement and Final Order and understand that may failure to do so can result in additional discipline of my license.

I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that by waiving the formal hearing, I waive my right to challenge the allegations against me and all attendant rights, including the right to appeal or seek judicial review of the Board's actions.

I understand that this Settlement Agreement and Final Order is a public record that will become part of my permanent licensure file and will be available for public inspection and reproduction in accordance with the requirements of Iowa Code chapter 22.

I understand that my name will be added to the national clearinghouse database kept by the national Association of State Directors of Teacher Education and Certification (NASDTEC).

10-5-22
Date


Amber Mattly

ORDER

IT IS THE FINAL ORDER OF THE BOARD OF EDUCATIONAL EXAMINERS THAT:

1. The conduct with which Respondent has been charged constitutes a violation of the Code of Professional Conduct and ethics governing the teaching profession. Respondent is REPRIMANDED for the charged conduct.

2. Respondent shall successfully complete at least fifteen in-person contact hours in "Ethics for Educators," which is offered by the ISEA, or "Ethical Educators," which is offered by the PEI. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the ethics course within one (1) year of the Board's acceptance of this Settlement Agreement. Failure to complete the ethical class within the allotted time period will result in immediate suspension of your license until completed. These hours shall not be used to satisfy the required hours for license renewal.

3. Respondent shall successfully complete a course in special education law, preapproved by the Board's Executive Director. Respondent is responsible for all costs associated with the completion of the educational course. Respondent shall provide the Board with proof of completion of the special education law course within one (1) year of the Board's acceptance of this Settlement Agreement. Failure to complete the course within the allotted time period will result in immediate suspension of your license until completed. These hours shall not be used to satisfy the required hours for license renewal.

4. In determining the appropriate sanction to impose in this case, the Board has considered the nature and seriousness of the allegations as well as mitigating circumstances.

Dated this 14th day of October, 2022.



Michael D. Cavin
Executive Director
Iowa Board of Educational Examiners

Copies to:

Amber Mattly
RESPONDENT

Christy A. A. Hickman
ATTORNEY FOR RESPONDENT

Kristi A. Traynor
ATTORNEY FOR THE STATE